

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, OCTOBER 21, 2008, IN THE BOARD ROOM OF THE
HISTORIC COURTHOUSE, SALUDA, VIRGINIA:

Present: Kenneth W. Williams, Pinetop District
Robert A. Crump, Saluda District
Fred S. Crittenden, Pinetop District
Wayne Jessie, Sr., Jamaica District

Marcia Jones, Assistant Administrator
Charles M. Culley, Jr., County Administrator
Michael T. Soberick, County Attorney

Absent: John D. Miller, Jr., Saluda District

CALL TO ORDER

The Chairman Mr. Williams called the meeting to order at 7:30 P.M. Mr. Crump offered a prayer and Mr. Culley led the Pledge of Allegiance.

PUBLIC HEARING – ORDINANCE AMENDMENT #AM-2008-004

Planning Director, Matt Walker, presented a proposed amendment to Article 8 – Village Community (VC) District of the Zoning Ordinance. This amendment proposes that major subdivisions receive special exception approval prior to development and adding additional criteria to better conform to the intent of the Village Community District’s purpose. The amendment would remove the “by right” status of major subdivisions that only require preliminary and final plat/design approval through the current subdivision review process. If approved, the amendment would require a special exception be granted prior or concurrent with such approval and require the following minimum design or performance standards:

1. 20% reserved area for commercial and/or community service uses
2. Central water
3. Central sewer for lots less than 20,000 square feet
4. Fire hydrant provision
5. Curb and gutter roads
6. Sidewalks with sidewalk lighting
7. Multiple or divided entrances in some cases
8. Landscaped buffers
9. Onsite stormwater management

The Planning Commission recommended approval of the proposed amendment with the following revisions and additions, on a vote of 7 to 0, with 4 members absent:

Revised item: Section b. All major subdivisions of 15 units or greater, shall propose or reserve a minimum of twenty percent (20%) for commercial and/or community service uses.

Additional item: Section I: Should Low Impact Design (LID) techniques and practices be employed, item f may be waived.

The Chairman opened the hearing for comments from the public. There were no comments and the public portion of the hearing was closed. Mr. Walker showed the Board an overlay of all current VC areas to which these amendments could apply. Mr. Culley estimated that this would apply to less than 5% of the total acreage in the County. In the past, VC development has been for high density development, rather than mixed use development. The motion to adopt the amendment as recommended by the Planning Commission was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously. Language added is underlined as follows:

8-3. Special Exceptions.

The following uses are permitted as special exceptions in the Village Community District:

- 21 Major Subdivisions, as defined by the Subdivision Ordinance of Middlesex County. (Amended 10/21/08)

8-4. Special Exception Criteria.

Special exception uses in the "VC" District shall satisfy all of the following criteria:

1. Minimum lot size shall be one (1) acre and shall front one hundred (100) feet on a public street or highway. Special exception 21 shall be excluded from this size and frontage requirement. (Amended (10/21/08)

2-4 No changes

5. Special exception Number 21 shall satisfy all of the following additional requirements: (Amended 10/21/08)
 - a. All requirements listed for Major Subdivisions in the Subdivision Ordinance of Middlesex County.
 - b. All major subdivisions of 15 units or greater, shall propose or reserve a minimum of twenty percent (20%) of the parcel/project area for commercial and/or community service uses.
 - c. All lots must be served by a Central Water System as defined by this ordinance and provide the necessary utility easements for maintenance and potential expansion of the system.
 - d. All lots of less than twenty thousand (20,000) square feet in area shall be served by a Central Sewer System as defined by this ordinance and provide the necessary utility easements for maintenance and potential expansion of the system.

- e. All lots shall be within 400 feet of fire hydrants, the location and type to be approved by the County Emergency Services Committee of Middlesex County.
- f. The subdivision must have complete curb and gutter roads.
- g. The subdivision shall provide sidewalks along both sides of all proposed streets to the entrance of the development and to adjacent properties along road frontage. Subdivision sidewalks shall connect to existing sidewalks on adjacent properties where connection can be made at the property line. Subdivision sidewalks shall serve every lot within the subdivision.
- h. The subdivision shall have sidewalk lighting for all sidewalks.
- i. The subdivision shall have more than one entrance for ingress and egress or provide an entrance divided by a median of not less than 10 feet in width, if it creates, or has the potential to create through future subdivision, more than 50 lots. All entrance and street improvements shall meet Virginia Department of Transportation (VDOT) requirements
- j. The subdivision shall provide for landscaped buffers to screen the residential development from public rights of way, adjacent properties, and existing or proposed commercial uses.
- k. The subdivision shall have onsite storm water management.
- l. Should Low Impact Design (LID) techniques and practices be employed, item f may be waived.

(Items a-l Amended 10/21/08)

PUBLIC HEARING – ORDINANCE AMENDMENT #2008-05

Mr. Walker presented the ordinance amendment request to amend Article 6 Subdivision Improvements Section 6-3, 6-4 and Article 9 Definitions Section 9-1 of the Middlesex County Subdivision Ordinance. The purpose of the proposed amendment is to reconcile definitional differences that exist between the Middlesex County Zoning and Subdivision Ordinances. The proposed amendment strikes the Subdivision Ordinance's definition of community water and sewer systems and refers to the Zoning Ordinance's definition of central water and sewer. The amendment also replaces references to community water and sewer systems throughout Article 6 with references to the zoning ordinance terms of central water and sewer. The Planning Commission recommended approval of the amendment by a vote of 10-0 with 1 member absent following their public hearing on September 11, 2008.

Mr. Williams opened the hearing for comments from the public. There being no comments, the public portion of the hearing was closed.

Board members thanked the Planning Commission for their work on getting the ordinances corrected. The motion to approve the amendment as presented was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously.

REZONING APPLICATION #2008-006, STEVEN J. BLAND

At the request of Mr. Bland, the motion was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously to defer action on this application until the November 18th Board of Supervisors meeting.

STREET NAME REQUEST

By motion of Mr. Crump, second by Mr. Crittenden, carried unanimously, the Board approved the new street name of Helen's Way for a private road located off of Barrick's Mill Road. This was the first choice name of residents on the road that did not interfere with other adopted street names.

CONSIDERATION OF INVOICE

Mr. Culley explained that several years ago he brought to the Board's attention that some surrounding localities with closed landfills had received bills from the Department of Environmental Quality to cover plan review. At the time, those costs were \$1,000-\$2,000. The County has just received a bill for \$22,900.00 from the State for this review.

The motion to deny payment of the invoice was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously. Mr. Williams suggested giving the invoice to the County's senator and delegate for them to handle, since the General Assembly was part of the problem in allowing the fee to be established.

PAYROLL

The motion to approve payroll for the month of October was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously. Checks numbered 63038 through 63113 totaling \$328,766.39 were distributed as approved.

DISBURSEMENTS

The motion to approve the disbursements was made by Mr. Jessie, seconded by Mr. Crump and carried unanimously. Checks numbered 63114 through 63169 totaling \$84,419.63 were disbursed as approved.

MIDDLESEX MUSEUM

Mrs. Jones stated that the Middlesex Museum has expressed a desire to move into the old Clerk's Office building that was a former location of the museum. The Museum group desires to renovate the building back to its former state when used as a clerk's office. He would like to receive the Board's endorsement in writing at the Board's November 4th meeting.

HEALTH INSURANCE

Mrs. Jones presented new proposed rates for employee health insurance from Southern Health. Rates for the same plans currently offered have increased by 10.4%, increasing the employee only cost for the minimum plan from \$450.38 per month to \$497.71. There are currently 31 subscribers on this 20/40/30% plan and 25 subscribers on the 15/30/20% plan, which will increase from \$475.53 to \$524.21 per month. Mrs. Jones indicated that monies had been budgeted to accommodate an increase in the rates so no additional appropriations would be necessary. The motion to approve an increase in the County payment per employee to \$497.71 was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously.

ADJOURNED

There being no further business, the meeting was adjourned until the next regular meeting scheduled for November 4, 2008, 9:00 a.m., on a motion by Mr. Crump, second by Mr. Jessie and carried unanimously.

Kenneth W. Williams, Chairman
Board of Supervisors